IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 4253 of 2006

SURAJ KUMAR
V/S
SMT.SOHANI DEVI & ORS.

Mr. SAJJAN SINGH, for the appellant / petitioner

Mr. MS PUROHIT, for the respondent

Date of Order : 2.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

By the impugned order, the learned trial Court has declined to take the documents on record substantially on the ground of delay.

I have considered the documents, and the application.

In my view, the documents clearly have a direct bearing on the controversy involved in the suit. In such circumstances, the documents should have been taken on record, and since they have been filed after a long delay, the other party could be compensated by award of heavy costs.

In that view of the matter, the writ petition is allowed. The impugned order is set aside, and the application filed by the petitioner for producing the documents is allowed subject to payment of a cost of

Rs.5000/-. The trial Court is directed to decide the suit expeditiously.

(N P GUPTA),J.

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